

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

PETITION OF PSI ENERGY, INC. FOR)
APPROVAL OF AN ELECTRIC SUPPLY)
AGREEMENT WITH STEEL DYNAMICS,)
INC. AND FOR ESTABLISHMENT OF)
CONFIDENTIAL PROCEDURES)

CAUSE NO. 42565

FEB 25 2004

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") made the following entry in this Cause:

On January 13, 2004 pursuant to 170 I.A.C. 1-1.1-4, PSI Energy, Inc., ("PSI") or ("Petitioner") filed a *Motion for Protection of Confidential and Proprietary Information* ("Motion") in this Cause. In its Motion, the Petitioner indicates that certain information that it intends to submit in this matter, contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). The Petitioner's Motion is verified by Douglas F. Esamann, President of PSI and supported by the sworn Affidavit of Michael S. Morris, Program Manager of Steel Dynamics, Inc. ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Motion and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.

Handwritten signature of Scott R. Storms.

Scott R. Storms, Chief Administrative Law Judge

Date: February 25 2004

Handwritten signature of Nancy E. Manley.

Nancy E. Manley, Secretary to the Commission